

09-14-00

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CONTINUING PATENT APPLICATION TRANSMITTAL

(for Continuing Applications under 37 C.F.R. §1.53(b))

Attorney Docket No. 66688

First Named Inventor or Application Identifier: Barr

09/13/00
jc923 U.S. PTO

jc905 U.S. PTO
09/661171
09/13/00

Box PATENT APPLICATION
Commissioner of Patents and Trademarks
ATTENTION: Assistant Commissioner
for Patents
Washington, D.C. 20231

Sir:

This is a request under 37 C.F.R. §1.53(b) for filing a:

- () Continuation application,
- () Divisional application,
- (X) Continuation-in-Part application,

) CERTIFICATE OF MAILING BY "EXPRESS MAIL"
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of pending prior application number 09/433,039,
filed on October 25, 1999 of Christopher D. Barr and Mark C. Mikol
(Date) (Inventor(s))
for END-LOAD CARTON PACKAGING INCLUDING FOOD DELIVERY SYSTEM
(Title)

1. () This is a continuation or divisional application. Enclosed is a copy of the prior application as originally filed, including specification, claims, drawings, and oath or declaration.

- or -

(X) Enclosed is a patent application (for continuation, divisional, or continuation-in-part applications) containing:

- (X) 19 pages of the specification (including claims).
- (X) 17 sheets of drawings () Formal () Informal.

2. (X) Amend the specification by inserting before the first line the sentence: ---This is a [] continuation, [] division, [X] continuation-in-part, of prior provisional application number 60/160,279, filed October 19, 1999 and prior application number 09/433,039, filed October 25, 1999 which is hereby incorporated herein by reference in its entirety. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under paragraph 3 below, is considered as being part of the disclosure of the accompanying application, and is hereby incorporated by reference therein.

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3. () A copy of the executed oath or declaration filed in the prior nonprovisional application is enclosed.

4. (X) Inventorship:

(X) A newly-executed oath or declaration and power of attorney is enclosed (for continuation-in-part applications, or for continuation or divisional applications naming an inventor not named in the prior application) (§1.63(a), (d) (5) and (e)).

() Because this application is being filed by fewer than all of the inventors named in the prior application, delete the following inventor(s) named in the prior nonprovisional application (37 C.F.R. §1.63(d)(1)(2)):

() The names of persons believed to be the actual inventors are set forth in the enclosed unexecuted oath or declaration and power of attorney (§1.41(a) and §1.53(b)).

5. (X) Assignment(s) of the invention to Kraft Foods Holdings, Inc., and cover sheet are enclosed.

(X) A check in the amount of \$ 40.00 to cover the fee for recording the assignment(s) is enclosed.

6. (X) The prior application is assigned of record to Kraft Foods, Inc.

7. () Small Entity Status (37 C.F.R. §1.28(a)(2)):

() A statement of status as a small entity is enclosed.

() A statement of status as a small entity was filed in the prior application, and small entity status is still proper and desired in this new nonprovisional application.

() Status as a small entity is no longer claimed.

8. () A 37 C.F.R. §3.73(b) statement is enclosed (where an assignee seeks to take action in a matter before the Patent Office).

9. () A preliminary amendment is enclosed.

10. (X) Drawings:

() Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (May be used only if signed by person authorized by §1.138 and before payment of base issue fee.)

(X) New drawings are enclosed.

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() Informal drawings are enclosed.

11. (X) A separate written request under 37 C.F.R. §1.136(a)(3), which is a general authorization to treat any concurrent or future reply requiring a petition for an extension of time under 37 C.F.R. §1.136(a) for its timely submission as incorporating a petition for an extension of time for the appropriate length of time, is enclosed.

12. () An Information Disclosure Statement is enclosed.

() A Form PTO-1449 is enclosed.

() _____ References (copies) listed on the Form PTO-1449 are enclosed.

13. () A MicroFiche Computer Program (Appendix) is enclosed.

14. (X) A Return Receipt Postcard is enclosed (MPEP §503).

15. () A Nucleotide and/or Amino Acid Sequence Submission is enclosed.

() A Computer Readable Copy is enclosed.

() A Paper Copy (Identical to Computer Copy) is enclosed.

() A Statement Verifying Identity of above Copies is enclosed.

16. () Priority of application number _____ / _____ filed on _____ in _____ is claimed under 35 U.S.C. §119.

() The certified copy of the priority document has been filed in prior application number _____ / _____, filed _____.

() A certified copy of the priority document is enclosed.

17. () Power of Attorney:

() The power of attorney in the prior application is to: _____ Reg. No. _____,

FITCH, EVEN, TABIN, & FLANNERY
 Suite 1600
 120 South LaSalle Street
 Chicago, Illinois 60603-3406
 and other members of the firm.

() The power appears in the original papers in the prior application.

() Since the power does not appear in the original papers in the prior application, a copy of the power in the prior application is enclosed.

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18. () Cancel in this application original claims _____ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

19. (X) The filing fee is calculated below:

Fee Calculation for Claims as Filed in the Prior Application,
Less Any Claims Cancelled by Amendment

(X) Basic Utility Fee	\$ 760.00	\$760.00
• (x) Independent Claims <u>4</u> - 3 = <u>0</u> x \$ 78.00 =		\$78.00
• (x) Total Claims <u>18</u> - 20 = <u>0</u> x \$ 18.00 =		\$ 0
• () Fee for Multiply Dependent Claims	\$260.00	\$ 0
or		
() Basic Design Fee	\$ 310.00	\$ _____
Total of above Calculations		\$ 838.00
Reduction by 50% for Filing by Small Entity		\$ _____
Total		\$ 838.00

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20. (X) A check in the amount of \$ 838.00 is enclosed.

21. (X) The Commissioner is hereby authorized to charge any fees which may be required under 37 C.F.R. §§1.16 and 1.17 and are not paid herewith, or credit any overpayment, to Deposit Account Number 06-1135. A duplicate copy of this request is enclosed.

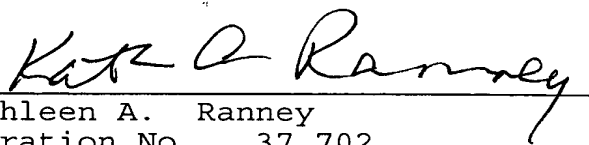
22. (X) Also enclosed:

Associate Power of Attorney for Kraft Attorneys
Associate Power of Attorney for Kathleen A. Ranney

23. (X) Address all future communications to:

FITCH, EVEN, TABIN & FLANNERY
Suite 1600
120 South LaSalle Street
Chicago, Illinois 60603-3406
Telephone: (312) 577-7000
Facsimile: (312) 577-7007

September 13, 2000
(Date)


Kathleen A. Ranney
Registration No. 37,702
() Attorney or agent of record
(X) Filed under §1.34(a)

PATENT

Attorney Docket No. 66688
Date: September 13, 2000

Commissioner of Patents and Trademarks
ATTENTION: Assistant Commissioner
for Patents
Washington, D.C. 20231

jc905, U.S. PTO
09/661171
09/13/00

Applicant(s): Barr et al.
Application No.: Not Yet Assigned
Filed: Not Yet Assigned
Title: END-LOAD CARTON PACKAGING
INCLUDING FOOD DELIVERY SYSTEM
Group Art Unit: Not Yet Assigned
Examiner: Not Yet Assigned

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) and Trademarks, Washington, D.C. 20231.
)
) Ed Price
) (Typed or printed name of person mailing)
) *Ed Price*
) (Signature of person mailing)

**GENERAL AUTHORIZATION FOR PETITION FOR
EXTENSION OF TIME UNDER 37 C.F.R. §1.136(a) (3)**

Applicant(s) hereby request under 37 C.F.R. §1.136(a) (3) by this general authorization that any concurrent or future reply submitted by Applicant(s) to the U.S. Patent and Trademark Office for the above-identified patent application requiring a petition for an extension of time under §1.136(a) for its timely submission be treated as incorporating therein a petition for an extension of time for the appropriate length of time.

If Applicant(s) do not timely pay for any extension fee(s) pursuant to 37 C.F.R. §1.136(a) which may become due for this application under 37 C.F.R. §1.17 by check, the Commissioner is hereby authorized to charge such fee(s), and any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135.

September 13, 2000
(Date)

Kathleen A. Ranney
Kathleen A. Ranney
Registration No. 37,702

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